

DIXIE
MOTION TO STRIKE
EXHIBIT 2

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF NEW YORK

DOUGLAS J. HORN and CINDY HARP-HORN

Plaintiffs,

-vs- Civil Action No.: 15-cv-701-FPG

MEDICAL MARIJUANA, INC., DIXIE ELIXIRS AND EDIBLES, RED DICE HOLDINGS, LLC, and DIXIE BOTANICALS,

Defendants.

Examination Before Trial of

DOUGLAS J. HORN, held before Marissa A

Ashcroft, Notary Public, at MURA & STORM,

PLLC, 930 Rand Building, 14 Lafayette Square,
Buffalo, New York, on May 8th, 2017 at 10:17
a.m., pursuant to notice.

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DOUGLAS J. HORN - BY MR. BORON - 05/08/17-

1 of that bottle would not be able to be tested
2 for THC?

3 A. No.

4 Q. Did you ask anybody if it could be tested for
5 THC?

6 A. No.

7 Q. Okay. So at some point in time then after you
8 tested positive for THC you ordered another
9 bottle of the same product?

10 A. Correct.

11 Q. Did you personally order that one as oppose to
12 Cindy having ordered the other one?

13 A. No, I had my daughter order it.

14 Q. Which daughter was that? Erica?

15 A. Nicole.

16 Q. Nicole. Why didn't you have Elizabeth order
17 it?

18 A. Don't know why.

19 Q. So Nicole put the order in for the second
20 bottle?

21 A. Correct.

22 Q. Did you ever order any additional bottles of
23 the Dixie X product?

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DOUGLAS J. HORN - BY MR. BORON - 05/08/17

1 A. Correct.

2 Q. Did you ever get a report from the EMSL lab?

3 A. Yes.

4 Q. A written report?

5 A. Yes.

6 Q. Have you produced that written report?

7 A. Yes.

8 Q. How many pages long was it?

9 A. Just one.

10 Q. One-page long report?

11 A. I just had them test it for THC and that's
12 what they gave me the result.

13 Q. Did you also order additional Dixie X
14 products?

15 A. I may have had my daughter.

16 Q. This is after you tested positive?

17 A. Yes.

18 Q. What else did you order from Dixie X products?

19 A. The SAV and the -- I think they called them
20 scripts. They were pill form.

21 Q. Was that your decision to order those products
22 or did an attorney tell you to order them?

23 A. No, I decided to order those.

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